

NOTE: this document is a subset of the water shortage rule (definitions, general restrictions, and Phase 2 specific restrictions only). Please see the full rule document for more details.

CHAPTER 40E-21 WATER SHORTAGE PLAN

PART I GENERAL

40E-21.051 Definitions.

When used in this chapter:

- (1) "Water shortage" means that situation within all or part of the District when insufficient water is available to meet the present and anticipated needs of the users, or when conditions are such as to require temporary reduction in total use within a particular area to protect water resources from serious harm. A water shortage usually occurs due to drought.
- (2) "Water shortage emergency" means that situation when the powers which can be exercised under part II of chapter 40E-21 are not sufficient to protect the public health, safety, or welfare, or the health of animals, fish or aquatic life, or a public water supply, or commercial, industrial, agricultural, recreational or other reasonable uses.
- (3) "User" means any person, natural or artificial, individual, firm, association, organization, partnership, business trust, corporation, company, agent, employee or other legal entity, the United States of America, and the State and all political subdivisions, regions, districts, municipalities, and public agencies thereof, which directly or indirectly takes water from the water resource, including but not limited to uses from private or public utility systems, uses under consumptive use permits issued pursuant to chapter 40E-2, or uses from individual wells or pumps for domestic or individual home use. The term does not include persons who use treated effluent or seawater.
- (4) "Water resource" means any and all water on or beneath the surface of the ground, including natural or artificial water courses, lakes, ponds, or diffused surface water and water percolating, standing, or flowing beneath the surface of the ground.
- (5) "Source class" means the assigned water resource from which a user is obtaining water either directly or indirectly. Source classes within the District are specified in rule 40E-21.631.
- (6) "Use class" means the category describing the purpose for which the user is utilizing water. Use classes within the District are specified in rule 40E-21.651.
- (7) "Method of withdrawal class" means the type of facility or means of extraction or diversion of the water resource employed by the user. Method of withdrawal classes within the District are specified in rule 40E-21.671.
- (8) "Surface water use basin" means the geographical area within which a user obtains water from surface waters. Surface water use basins are a type of source class and are identified in subsection 40E-21.631(1).
- (9) "Ground water source" means a source class within which users obtain water directly from water table aquifers or from confined or semi confined aquifers. Ground water sources are a type of source class and are identified in subsection 40E-21.631(2).

(10) "Percent reduction in overall demand" means the weighted average reduction in all water uses within a source class, regardless of the type of use or method of withdrawal, which is necessary to reduce estimated present and anticipated demand to estimated present and anticipated available water supply.

(11) "Plan" means the water shortage plan authorized in section 373.246, Florida Statutes, and contained in this chapter.

(12) "Low-volume irrigation" means the use of equipment and devices specifically designed to allow the volume of water delivered to be limited to a level consistent with the water requirement of the plant being irrigated and to allow that water to be placed with a high degree of efficiency in the root zone of the plant. The term also includes water use in mist houses and similar establishments for plant propagation. Overhead irrigation and flood irrigation are not included.

(13) "Overhead irrigation" means the use of equipment and devices which deliver water under pressure, through the air, above the level of the plant being irrigated.

(14) "Flood irrigation" means the delivery of plant or crop irrigation water by the design and practice of the flowing of water over the surface to saturate the root zone or in specific applications the raising of the level of groundwater through the root zone or to the soil surface.

(15) "Low volume hand watering" means watering by one hose attended by one person, fitted with a self-canceling or automatic shutoff nozzle.

(16) "Low-volume mobile equipment washing" means the washing of mobile equipment with a "bucket" and "sponge" or a hose with a self-canceling or automatic shutoff nozzle or both.

(17) "Low-volume pressure cleaning" means pressure cleaning by means of equipment which is specifically designed to reduce the inflow volume as accepted by industry standards.

(18) "Nursery stock" means all plants, trees, shrubs, vines, bulbs, cuttings, grafts, scions, buds, flowering annual plants, aquatic plants, seeds, corns, or tubers, grown or kept for propagation, distribution or sale.

(19) "Mobile equipment" means any public, private or commercial automobile, truck, trailer, railroad car, camper, boat, or any other type of similar equipment. The term shall not include mobile homes, boats that serve as a primary residence, sanitation or sludge vehicles or food vending or transporting vehicles.

(20) "Even numbered address" means the house address, box number or rural route ending in the numbers 0, 2, 4, 6, 8 or the letters A-M. Post office box numbers are not included.

(21) "Odd numbered address" means the house address, box number or rural route ending in the numbers, 1, 3, 5, 7, 9 or the letters N-Z. Post office box numbers are not included.

(22) "Odd numbered days" means the days whose dates end in the numbers 1, 3, 5, 7, or 9. For purposes of this chapter the date shall be determined by the day during which a watering period ends.

(23) "Low-volume watering" means the use of equipment, devices, materials and/or methods, including low-volume hand watering, which limit the amount of water applied

to a surface to the minimum necessary for dust control or evaporation suppression; use of equipment specifically designed to reduce flow and increase saturation efficiency to a level accepted under industry standards.

(24) "License" means, but is not limited to, the appropriate professional registration, occupational license, contractor license or applicator license for the jurisdiction in which work is being performed.

40E-21.271 General Water Use Restrictions.

(1) This rule specifies general water use restrictions for all users for each water shortage phase. Specific restrictions by user class are presented in part V of this chapter. Users desiring detailed information about the specific restrictions applying to their use should refer to part V.

(2) The Board may order the water use restrictions specified in part V for the appropriate water shortage phase for each affected source class. The restricted area may include for enforcement purposes, all or part of a county, municipality, surface water basin or utility service area which impacts a source class for which a water shortage is declared. Further, the Board may order any combination in lieu of or in addition to the restrictions specified in part V of the restrictions described in subsection (3), by use or method of withdrawal class, within each source class, if necessary to achieve the percent reduction in overall demand.

(3) Additional restrictions which may be considered include:

(a) provisions that recognize the right of water users in an area to make voluntary agreements among themselves, with the concurrence of the Board or the Executive Director, providing for the mutual reduction, sharing, or rotation of use,

(b) provisions for the distribution of water to permittees in exchange for ceasing or reducing ground or surface water withdrawals,

(c) provisions for the metering and reporting of all water used, diverted, impounded, extracted or withdrawn,

(d) provisions designed to maintain minimum flows and minimum levels,

(e) provisions which recognize the extent to which users can satisfy water demands from sources for which a water shortage has not been declared,

(f) provisions for monitoring water levels and determining chloride concentrations in order to protect against salt water intrusion or other deterioration of water quality including the closing and plugging of wells,

(g) restrictions on the total amount of water that may be used, diverted, impounded, extracted, or withdrawn during any day, month, or year,

(h) restrictions on the timing of use, diversion, impoundment, extraction, or withdrawal of water,

(i) restrictions on pumping rates or diversion rates, or

(j) such other provisions or restrictions as are necessary to protect the water resources from serious harm.

Specific Authority 373.044, 373.113 F.S.

Law Implemented 373.175, 373.246 F.S.

History--New 5-31-82, Amended 1-26-86

PART V SPECIFIC RESTRICTIONS

40E-21.501 Specific Restrictions.

(1) Upon declaration of a water shortage or water shortage emergency it shall be prohibited to use water in a manner inconsistent with the restrictions specified in this part and part II. It shall be the duty of each water user to stay informed as to the phase of water shortage and the applicable restrictions for that phase. Violation of the restrictions specified in this part and part II shall be subject to enforcement action pursuant to rule 40E-21.421. (2) In addition to the restrictions specified in this part and part II, wasteful and unnecessary water use is prohibited regardless of the phase of water shortage. Such wasteful and unnecessary water use shall include, but not be limited to:

(a) Allowing water to be dispersed without any practical purpose to the water user, regardless of the type of water use.

(b) Allowing water to be dispersed in a grossly inefficient manner, regardless of the type of water use.

(c) Allowing water to be dispersed to accomplish a purpose for which water use is unnecessary or which can be readily accomplished through alternative methods without water use.

(3) Within each rule, use classes are grouped in the same sequence as in rule 40E-21.651.

Specific Authority 373.044, 373.113 F.S.

Law Implemented 373.175, 373.246 F.S.

History--New 5-31-82, Amended 2-14-91.

40E-21.531 Phase II Severe Water Shortage.

The following restrictions shall apply when a Phase II water shortage is declared by the District.

(1) Essential/Domestic/Utility/Commercial

(a) Essential Use

1. The use of water for firefighting, safety, sanitation, health and medical purposes and other essential uses shall not be restricted.

2. Fire hydrant flushing shall be undertaken only on an emergency basis.

3. Sanitary sewer line flushing and testing shall not be restricted except on a voluntary basis.

(b) Domestic Type Use

1. Residential type domestic use shall be voluntarily reduced to 50 gallons per person per day.

2. Domestic type use in industrial and commercial establishments shall be voluntarily reduced.

(c) Water Utility Use

1. Initial pressure at the point of use (meter) shall be reduced to levels no greater than 45 pounds per square inch. Upon reduction of pressure, the utility shall notify the

appropriate fire-fighting agencies and make arrangements for direct communication when additional pressure is required.

2. New water line flushing and disinfection shall be restricted to the hours of 7:00 P.M. to 7:00 A.M. seven days per week.

3. As may be appropriate the utility shall institute additional voluntary conservation measures such as reclaiming of backwash water, improving and accelerating leak detection surveys and repair programs, installing and calibrating meters, and stabilizing and equalizing system pressures.

(d) Power Production Use

Water used for power production shall be voluntarily reduced.

(e) Commercial and Industrial Process Use

1. Commercial car washes shall be restricted as follows:

a. for washes servicing passenger vehicles and mobile equipment weighing less than 10,000 pounds,

i. use in excess of 75 gallons per wash shall be prohibited and

ii. use equal to or less than 75 gallons per wash shall be voluntarily reduced;

b. for washes servicing mobile equipment weighing 10,000 pounds or more,

i. use in excess of 150 gallons per wash shall be prohibited and

ii. use equal to or less than 150 gallons per wash shall be voluntarily reduced.

2. Water used for commercial and industrial processes shall be voluntarily reduced.

3. Water use for cleaning, adjusting and repair of irrigation systems by a licensed person or entity shall be restricted as follows:

a. projects one irrigated acre or greater in size shall be limited to one hour per acre per week,

b. projects less than one irrigated acre in size shall be limited to 10 minutes per zone per week.

4. Water use for pesticide application under the supervision of a licensed pest control operator shall be voluntarily reduced. Under the provisions of this subparagraph, the applicator must be on the premises when water is applied outside of the hours allowed for irrigation.

5. Water use for well development under the supervision of a licensed well contractor shall be voluntarily reduced.

6. Water use for mobile equipment washing by a licensed person or entity shall be voluntarily reduced.

(f) Diversion and Impoundment into Non-District Facilities

1. Water used for diversion and impoundment into non-District facilities shall be voluntarily reduced.

(2) Agriculture

(a) Agricultural Use

1. Overhead irrigation shall be restricted to the hours of 2:00 P.M. to 10:00 A.M.

2. Low volume irrigation hours shall not be restricted.

3. All irrigation systems shall be operated in a manner that will maximize the percentage of water withdrawn and held which is placed in the root zone of the crop

and will minimize the amount of water which is withdrawn and released or lost to the user but is not immediately available for other users.

4. Users having access to more than one source class shall maximize the use of the lesser or least restricted source class.

5. Overhead irrigation for field grown citrus nursery stock moisture stress reduction shall be allowed daily for 10 minutes per irrigation zone from 11:30 A.M. to 12:00 P.M. and from 1:30 P.M. to 2:00 P.M.

(b) Livestock Use

Livestock water use shall be voluntarily reduced.

(c) Aquacultural Use

Aquacultural water use shall be voluntarily reduced.

(d) Soil Flooding

1. Soil flooding for vegetable seed planting, rice planting, burning of sugarcane prior to harvest and to permit harvesting of sod shall be voluntarily reduced.

2. Soil flooding for all other purposes shall be prohibited.

(e) Freeze Protection

Water use for freeze protection shall be restricted to situations in which official weather forecasting services predict temperatures likely to cause permanent damage to crops.

(3) Nursery/Urban Irrigation/Recreation

(a) Nursery Use

1. Low volume irrigation uses and low volume hand watering shall be voluntarily reduced.

2. Overhead irrigation uses shall be restricted as follows:

a. inside - 8:00 A.M. to 8:00 P.M., seven days per week.

b. outside - 7:00 P.M. to 7:00 A.M., on odd numbered days.

c. Outside overhead irrigation for containerized nursery stock moisture stress reduction on stock grown in containers up to and including one gallon in size shall be allowed daily for 10 minutes per irrigation zone from 11:30 A.M. to 12:00 P.M., 1:30 P.M. to 2:00 P.M. and 3:30 P.M. to 4:00 P.M.

3. Flood irrigation systems shall be restricted to 6 days per month.

(b) Landscape Irrigation - New Installation

1. For installations which have been in place for less than 30 days and

a. less than 5 irrigated acres in size, water use for irrigation shall be restricted to the hours of 2:00 A.M. to 8:00 A.M., Monday, Wednesday, Thursday and Friday,

b. 5 irrigated acres or greater in size, water use for irrigation shall be restricted to the hours of 12:01 A.M. to 8:00 A.M. Monday, Wednesday, Thursday and Friday.

2. Low volume irrigation and low volume hand watering of new landscaping shall be voluntarily reduced.

3. Cleaning and adjusting of new irrigation systems shall be restricted to 10 minutes per zone on a one time basis.

(c) Landscape Irrigation - Existing Installation

1. For existing installations less than 5 irrigated acres in size, water use for irrigation shall be restricted to the hours from 4:00 A.M. to 8:00 A.M. for all types of irrigation,

except low volume irrigation, and 5:00 P.M. to 7:00 P.M. for low volume hand watering, two days per week.

a. Installations with odd addresses shall be permitted to irrigate on Wednesday and Saturday.

b. Installations with even addresses or no address shall be permitted to irrigate on Thursday and Sunday.

2. For existing installations 5 irrigated acres or greater in size, water use for irrigation shall be restricted to the hours from 12:01 A.M. to 8:00 A.M., two days per week.

a. Installations with odd addresses shall be permitted to irrigate on Wednesday and Saturday.

b. Installations with even addresses or no address shall be permitted to irrigate on Thursday and Sunday.

3. Water use for cleaning, adjusting and repair of existing irrigation systems shall be limited to ten minutes per zone per week.

4. Low volume irrigation uses shall be voluntarily reduced.

(d) Recreation Area Use

1. Landscape irrigation for new and existing recreation areas shall be restricted to the hours prescribed for new and existing landscape irrigation in paragraphs (b) and (c) respectively.

2. Irrigation of seeded and/or sprigged recreation areas that have been in place for less than thirty days shall be allowed daily for 5 minutes per irrigation zone from 11:30 A.M. to 12:00 P.M., 1:30 P.M. to 2:00 P.M. and 3:30 P.M. to 4:00 P.M.

3. Watering of pervious non-vegetated recreational/sporting surfaces shall be restricted to ten minutes of application prior to each recreational/sporting event. Low volume watering shall be used.

(e) Golf Course Use

1. Irrigation of greens and tees shall be voluntarily reduced and shall be accomplished during non-daylight hours.

2. Irrigation of roughs and nonplaying areas on the first nine holes of the course shall be restricted to the hours of 12:01 A. M. to 8:00 A.M. on Wednesday and Saturday.

3. Irrigation of fairways, roughs and nonplaying areas on the last nine holes of the course shall be restricted to the hours of 12:01 A.M. to 8:00 A.M. on Thursday and Sunday.

4. Irrigation of seeded and/or sprigged areas that have been in place for less than thirty days shall be allowed daily for 5 minutes per irrigation zone from 11:30 A.M. to 12:00 P.M., 1:30 P.M. to 2:00 P.M. and 3:30 P.M. to 4:00 P.M.

(f) Water Based Recreation Use

1. Water based recreation water use shall be voluntarily reduced.

2. Draining of facilities into sewers or onto impervious surfaces shall be prohibited.

3. Existing facilities shall not be refilled except for makeup water, unless the facility is leaking more than one inch of water a day. If a facility is leaking more than one inch of water a day and is in need of repair, it may be drained onto a pervious surface for repairs and subsequently refilled.

(4) Miscellaneous

(a) Cooling and Air Conditioning Use

The use of water for cooling and air conditioning shall be restricted to that amount of water necessary to maintain a minimum temperature of 78 degrees Fahrenheit.

(b) Dewatering Use

Discharge of fresh water to tide from dewatering shall be prohibited.

(c) Navigation Use

1. The District shall request the U. S. Army Corps of Engineers to restrict its lockages to maintain acceptable chloride concentrations upstream of the locks and to conserve water.

2. In the case of the Franklin Lock and Dam, the District shall request the U.S. Army Corps of Engineers to restrict lockages to once every four hours if:

- a. chloride levels upstream of S-79 are 180 parts per million or higher and
- b. a rainfall in excess of one inch in 24 hours is not predicted in the surface water use basin within the next 48 hours.

3. If the restrictions imposed in subparagraph 2. are insufficient to stop the rising chloride levels, the District shall request the U. S. Army Corps of Engineers to further restrict lockages to once every four hours, twice per week.

4. If the restrictions imposed in subparagraphs 2. and 3. are still insufficient to stop the rising chloride levels, the District shall request the U. S. Army Corps of Engineers to prohibit lockages.

(d) Other Outside Uses

1. Washing or cleaning streets, driveways, sidewalks, or other impervious areas with water shall be prohibited.

2. Outside pressure cleaning shall be restricted to only low volume pressure cleaning, seven days a week.

3. Mobile equipment washing with water shall be restricted to the hours and days prescribed for existing landscape irrigation in paragraph (3)(c)1, using only low volume mobile equipment washing methods and shall be conducted over a pervious surface or in an area that immediately drains to a pervious surface. Rinsing and flushing of boats after saltwater use shall be limited to 15 minutes once a day for each boat.

4. Washing boats that serve as a primary residence shall be restricted to the hours and days prescribed for existing landscape irrigation in paragraph (3)(c)1. Boats with an odd slip number shall be permitted to be washed on Wednesday and Saturday. Boats with an even slip number or no slip number shall be permitted to be washed on Thursday and Sunday.

(e) Aesthetic Use

1. Non-recirculating outside aesthetic uses of water shall be prohibited.

2. Water use for outside aesthetic purposes by facilities that recirculate water shall be voluntarily reduced and must meet the following criteria:

a. Draining of water from outside aesthetic facilities into sewers or onto impervious surfaces is prohibited.

b. Outside aesthetic facilities shall not be operated when wind conditions cause water to be lost from the recirculating capacity of the facility.

c. Outside aesthetic facilities that leak water shall not be operated.

d. Outside aesthetic facilities that lose water due to an overflow shall not be operated.

3. Inside aesthetic uses of water shall be voluntarily reduced.

Specific Authority 373.044, 373.113 F.S.

Law Implemented 373.175, 373.246 F.S.

History--New 5-31-82, Amended 1-26-86, 2-14-91.